

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

YOSEF E. DIAZ-SHEVATZ,
Plaintiff,

v.

ROGER MARTINEZ, et al.,
Defendants.

Case No. 18-03017 EJD (PR)

ORDER OF DISMISSAL

Plaintiff, a California state prisoner proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 against officials at Salinas Valley State Prison (“SVSP”). Defendants filed a motion to revoke Plaintiff’s IFP status and dismiss the pending action without prejudice under 28 U.S.C. § 1915(g). (Docket No. 16.) In response, Plaintiff filed a motion on December 12, 2018, stating that he has paid the filing fee in full and that he wishes to withdraw his IFP status. (Docket No. 19.) The Court granted the motion on December 18, 2018, but advised Plaintiff that the docket indicated that he had only paid part of the filing fee, and that there was a remaining balance of **\$183.34.** (Docket No. 21.) The Court directed Plaintiff to pay the remaining balance and file proof of payment with the Court no later than fourteen (14) days from the date the order was filed, i.e., no later than January 2, 2019. (Id.) Plaintiff was advised that “[f]ailure to pay the filing fee in the

1 time provided will result in the dismissal of this action for failure to pay the filing fee
2 without further notice to Plaintiff.” (Id. at 2.)

3 The deadline has passed, and Plaintiff has failed to comply with the last court order
4 or file any other communication with the Court. Accordingly, this action is **DISMISSED**
5 without prejudice for failure to pay the full filing fee.

6 **IT IS SO ORDERED.**

7 Dated: 1/11/2019



EDWARD J. DAVILA
United States District Judge